

May 5, 2021

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VIA ECF

The Honorable Analisa Torres
United States District Judge
Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

Re: *United States v. Lafone Eley*,
20-cr-00078-AT-2 (*United States v. Spencer, et al.*)

Dear Judge Torres:

I represent Defendant Lafone Eley in the above-captioned matter. At our last conference with the Court on March 24, 2021, we indicated that we intended to file a motion to suppress the contents of Mr. Eley's phone because unauthorized searches of his phone were conducted. Given the importance of the issue to the case against Mr. Eley, we asked for a briefing schedule earlier than that set for the other defendants, and the Court accommodated our request, issuing an order permitting us to file a motion to suppress by May 5, 2021.

On April 30, 2021, the Government informed us that it will not rely on evidence obtained from Mr. Eley's phone in its case in chief, and confirmed this in a letter dated May 3, 2021. Accordingly, we do not intend to file a motion to suppress today, the date on which the Court ordered the motion to suppress to be filed. However, we respectfully request the opportunity to file any other appropriate motions at a later date, no later than the date set for the remaining defendants to file motions on September 9, 2021.

We thank the Court for its consideration of our request.

Respectfully submitted,

/s/ Kristen Santillo
Kristen Santillo

GRANTED.

SO ORDERED.

Dated: May 7, 2021
New York, New York



ANALISA TORRES
United States District Judge